

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or **Fax** (571)-273-2885

2011 MAY -4 PM 4:46

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

23117 7590 01/31/2011

NIXON & VANDERHYE, PC  
 901 NORTH GLEBE ROAD, 11TH FLOOR  
 ARLINGTON, VA 22203



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/593,829

01/12/2007

Nicolai Bovin

5366-7

5486

TITLE OF INVENTION: SYNTHETIC MEMBRANE ANCHORS

05/11/2011 DALLEN 00000031 10593829

01 FC:1461

4237.00 OP

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	05/02/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
BLAND, LAYLA D	1623	536-017100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Nixon &amp; Vanderhye

2

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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Kode Biotech Limited

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Auckland, New Zealand

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☒ Issue Fee☒ Publication Fee (No small entity discount permitted)☒ Advance Order - # of Copies

4

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

☐ A check is enclosed.☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form):

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.☒ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date May 2, 2011

Typed or printed name

Leonard C. Mitchard

Registration No. 29,009

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of



Confirmation No. 5486

BOVIN et al

Allowed: January 31, 2011

Serial No. 10/593,829

Atty. Ref.: LCM-5366-7

Filed: January 12, 2007

TC/A.U.: 1623

Examiner: Bland, Layla D.

For: SYNTHETIC MEMBRANE ANCHORS

\* \* \* \* \*

May 2, 2011

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**NOTICE WITH REGARD TO SMALL ENTITY STATUS**

Applicants note the status of the above-identified application as a small entity was established in good faith and fees as a small entity were paid in good faith, however it has now been discovered that such status as a small entity was established in error. The Office is requested to excuse the error as provided in Rule 28. Pursuant thereto, the applicants submit herewith the deficiency owed as itemized in the attached Annex, resulting from the previous erroneous payment of small entity fees.

The attached Annex is a list of each particular type of fee that was erroneously paid as a small entity as well as an amount actually paid for a non-small entity for each of these types of fees, and the deficiency owed for each fee erroneously paid, and the total deficiency payment owed which is the sum of the total of the individual deficiency owed amounts.

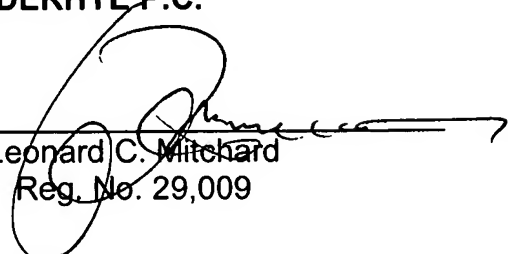
BOVIN et al  
Serial, No. 10/593,829

The Office is requested to contact the undersigned if anything further is required  
in this regard.

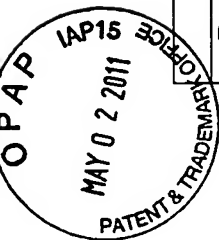
Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
Leonard C. Mitchard  
Reg. No. 29,009

LCM:lff  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
Attachment: Annex Itemization of Small Entity Deficiency Payment



# **Annex - Itemization of Small Entity Deficiency Payment**

Date Fees Paid	Description	Fee Code	Amount Erroneously Paid at Small Entity Rate	Amount Actually Paid at Large Entity Rate	Deficiency Owed at Large Entity Rate
September 22, 2006	Basic National Fee	2631	150.00	0.00	150.00
	Examination Fee	2633	100.00	0.00	100.00
	Search Fee	2642	200.00	0.00	200.00
	Additional Sheet Fee	2681	125.00	0.00	125.00
	Surcharge	2617	65.00	0.00	65.00
	Additional Claims Fee (39 extra @ \$50.00)	2615	975.00	0.00	975.00
	Excess Claims Fee (8 extra @ \$200.00)	2614	800.00	0.00	800.00
	<b>FEE SUB TOTAL</b>		<b>\$2,415.00</b>	<b>0.00</b>	<b>\$2,415.00</b>
March 21, 2008	Three Month Extension Fee	1253	0.00	1,050.00	0.00
November 24, 2008	Three Month Extension Fee	1253	0.00	1,110.00	0.00
September 2, 2009	Notice of Appeal Fee	1401	0.00	540.00	0.00
	Three Month Extension Fee	1253	0.00	1,110.00	0.00
December 8, 2009	RCE Fee	1801	0.00	810.00	0.00
	Petition to Extend for two months	1252	0.00	490.00	0.00
September 10, 2010	RCE Fee	1801	0.00	810.00	0.00
December 28, 2010	RCE Fee	1801	0.00	810.00	0.00
May 2, 2011	Issue Fee	1501	0.00	0.00	1,510.00
	Publication Fee	1504	0.00	0.00	300.00
	Patent Copies	8001	0.00	0.00	12.00
	<b>TOTAL FEES DUE</b>		<b>0.00</b>	<b>0.00</b>	<b>\$4,237.00</b>